

Attorney Docket No. 102458-40932

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(Date)

(Signature and Date)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of:

Codd et al.

: Art Unit : 1724

Serial No. : 10/621,435

: Examiner : Unassigned

Filed : July 17, 2003

Title : BICIFADINE FORMULATION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. 1.97-1.99, applicants respectfully request that the following references be made of record in the above-identified application:

United States Patents

4,196,120

Issued

April 1, 1980

Inventor(s)

Fanshawe et al.

4,231,935

November 4, 1980

Fanshawe et al.

Copies of the aforementioned publications are submitted herewith along with a completed form PTO-1449. The references are listed on form PTO-1449.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56. The submission of references with this Information Disclosure Statement should not be construed by the Examiner that a comprehensive search through the prior art was conducted; it is requested that the Examiner make such a comprehensive search.

The above citations do not constitute an admission that the references are relevant or material to the claims; they are cited only as constituting the closest art of which applicant is aware. As such, it is respectfully submitted that the Claims presented

for examination define patentable subject matter thereover. Favorable consideration on the merits is respectfully requested.

Correspondence and Fees

Pursuant to 37 C.F.R. §1.97(c), since the Information Disclosure Statement is submitted before the mailing of the first Office Action on the merits or within three months of the filing date for the above application, no fees are believed to be necessitated by this Information Disclosure Statement. Should any fee be required, please charge the required fee to Deposit Account No. 03-3839.

Please address all correspondence to Intellectual Property Docket Administrator, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, One Riverfront Plaza, Newark, NJ 07102-5497. Telephone calls should be made to William H. Epstein at (973) 596-4607 and fax communications should be sent directly to her at (973) 639-6397.

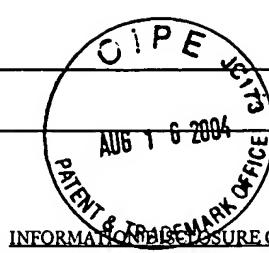
Thank you for your consideration.

Date: Aug 10, 2004



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Attorney for Applicant
Registration No. 20,008

Gibbons, Del Deo, Dolan,
Griffinger & Vecchione
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|----------------------------------------|------------------------------------------------------------|----------------------------------|--------------------------|
| Form PTO-1449 | U.S. Department of Commerce Patent and Trademark Office | Atty. Docket No. 102458-40932 | Serial No. 10/621,435 |
| <u>INFORMATION Disclosure CITATION</u> | | | |
| (Use several sheets if necessary) | | | |
| Applicant: Codd et al. | | | |
| Filing Date: July 17, 2003 | | | Art Unit: 1724 |

U. S. PATENT DOCUMENTS

| Examiner Initial | | Document Number | | | | | | | Date | Name | Class | Sub-class | Filing Date If Appropriate |
|------------------|--|-----------------|---|---|---|---|---|---|-----------|-----------------|-------|-----------|----------------------------|
| | | 4 | 1 | 9 | 6 | 1 | 2 | 0 | 4-1-1980 | Fanshawe et al. | | | |
| | | 4 | 2 | 3 | 1 | 9 | 3 | 5 | 11-4-1980 | Fanshawe et al. | | | |
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FOREIGN PATENT DOCUMENTS

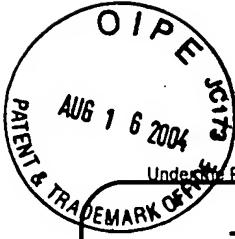
| *Examiner Initial | Office | Foreign Patent Document | | | | | | | Date of Publication of Cited Document | Name of Patentee or Applicant of Cited Document. | Class | Sub-class | Translation | |
|-------------------|--------|-------------------------|--|--|--|--|--|--|---------------------------------------|--------------------------------------------------|-------|-----------|-------------|----|
| | | Document Number | | | | | | | | | | | Yes | No |
| | | | | | | | | | | | | | | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Page, Etc.)

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| Examiner | Date Considered |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|----------------------|---------------|
| Application Number | 10/621,435 |
| Filing Date | July 17, 2003 |
| First Named Inventor | Janet Codd |
| Art Unit | 1724 |
| Examiner Name | Unassigned |

Attorney Docket Number 102458-40932

ENCLOSURES (Check all that apply)

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--------------------|
| Firm or Individual name | William H. Epstein |
| Signature | |
| Date | August 12, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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|-----------------------|----------------------------|------|-----------------|
| Typed or printed name | Judith A. Williams-Matthew | | |
| Signature | | Date | August 12, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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